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guide, although he clothed his story with a charm of language and imagination wholly his own. And when Royce treated of the Land Question in California, he was beyond his depth in unknown waters. Consequently the "Interregnum" of California history, the political and social characteristics of the period from the Conquest to the admission of the State into the Union, remains still to be written with discerning and judicious mind.

But the Constitutional Convention and the Organization of the State Government, covering pages 91 to 307 in the book under review, may be considered to have received definitive discussion. The book may be said to lack atmosphere, but it has such manifest merits of painstaking investigation and reliable judgment in this portion where the author has gone to the sources himself and has relied on no second-hand impressions that we welcome it with cordial praise. This central portion of the book, treating of the formation of the constitution, analyzes and classifies the work of the convention in seven chapters, dealing respectively with the Departments of Government, the Free Negro Question, the Eastern Boundary, Corporations and Banks, Education and Taxation, Completion of the Convention's Work, and Sources of the Constitution. All of these questions are treated thoroughly and adequately. And the following chapters on Organization of the First Legislature, and on the question whether the Civil or Common Law should prevail in California are well handled.

The author has broken down at least one long-standing impression, namely, that a group of southern politicians dominated the Convention of 1849. He shows convincingly that the proposition to put the eastern boundary at the farthest point recognized by the treaty with Mexico, and including the Mormon settlement at Salt Lake, was not supported by southern men any more than by northern, and so was not prompted on grounds of slave extension. Likewise he shows that the exclusion of the free negro was a question in which the men from the northern states were interested as much as the men from the South. The settlement of differences of opinion in the boundary question was prompted by a desire to obtain immediate admission to statehood. The question of free negroes and other disturbing problems were solved on the principle thus stated by the author: "In their home states party affiliations and local institutions were given first consideration; in their new environment a common feeling of the necessity of union took precedence over all other interests."

W. C. J.

FOREIGNERS IN TURKEY, THEIR JURIDICAL STATUS. By Philip Marshall Brown. Princeton University Press, Princeton, New Jersey. 1914. pp. vii, 157. \$1.25.

In this small volume the author has presented a very readable sketch of the origin and content of the immunities enjoyed by foreigners in Turkey as they existed before the present war began

and before the declaration by Turkey that she would no longer tolerate their existence. Professor Brown rejects the commonly accepted view that these immunities were due to the necessity of protection from the inequalities and rigors of Moslem law as applied to non-Moslems and sees their origin in an act of constructive statesmanship on the part of Mohammed the Conqueror. "The essential fact to be noted", he says, "is simply that the Turks in the midst of a great triumph spontaneously and generously recognized the right of the conquered to be governed by their own laws and customs in matters held sacred by the Moslems, as well as in matters not of vital concern to the state." This policy he regards as in harmony with the Moslem system of jurisprudence and with the generally recognized practice of the nations at that time.

The attempt in the last chapter to reconcile Turkey to the existence of the immunities enjoyed by foreigners through a reduction in their extent and their extension as thus reduced to other states has lost its force through the action of Turkey in declaring that they were no longer in force, but the idea seems too much in conflict with the whole theory upon which the modern nation has been developed to be of great practical value.

E. E.

## Books Received

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OUTLINES AND NOTES ON PRELIMINARY LAW EXAMINATION OF SUPREME COURT OF PENNSYLVANIA. Arranged and edited by John N. English. Student Law Book Co., Perrysville, Pa. 1913. pp. v, 124. \$3.75.

THE LAW AS A VOCATION. By Frederick J. Allen. The Vocation Bureau of Boston, 6 Beacon St., Boston, Mass. 1913. pp. 100. \$1.00.

CONCERNING JUSTICE. By Lucilius A. Emery. Yale University Press, 209 Elm St., New Haven, Conn. 1914. pp. 170. \$1.35 net.

THE DEPARTMENT OF STATE. By Gaillard Hunt. Yale University Press, 209 Elm St., New Haven, Conn.

UNPOPULAR GOVERNMENT IN THE UNITED STATES. By Albert M. Kales. University of Chicago Press, 58th St. and Ellis Ave., Chicago, Ill. 1914. pp. 270. \$1.50 net.

THE COURTS, THE CONSTITUTION, AND PARTIES. STUDIES IN CONSTITUTIONAL HISTORY AND POLITICS. By Andrew C. McLaughlin. University of Chicago Press, 58th St. and Ellis Ave., Chicago, Ill. 1912. pp. vi, 300. \$1.50 net.

THE PEOPLE'S LAW. By William Jennings Bryan. Funk & Wagnalls Co., 354-360 4th Ave., New York. 1914. pp. 64. \$30.

MAN. By William Jennings Bryan. Funk & Wagnalls Co., 354-360 4th Ave., New York. 1914. pp. 54. \$30.